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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,945	02/24/2004	James L. Tracy	CE12442JME	3815
24273	7590	11/29/2007		
MOTOROLA, INC INTELLECTUAL PROPERTY SECTION LAW DEPT 8000 WEST SUNRISE BLVD FT LAUDERDAL, FL 33322			EXAMINER VUONG, QUOCHIE B	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 11/29/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/786,945	<b>Applicant(s)</b> TRACY ET AL.	
	<b>Examiner</b> Quochien B. Vuong	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 7-10, 14 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Hymel (US Patent Application Publication NO. 20030220988)

Regarding claim 1, Hymel (figures 2 and 3) discloses an electronic product, comprising: an electronic host device (110); and a plurality of peripheral devices (120 including: 212, 214, 216, 218, 222, ...) that selectively couple and decouple to the electronic host device and activates independently of the electronic host device when decoupled from the electronic host device and further activates and operates independently of one another, wherein each of the peripheral devices operates with its own separate and independent relationship once decoupled from the electronic host device with the electronic host device (paragraphs [0013]-[0016])).

Regarding claim 2, Hymel discloses the electronic device further inherently comprises a means for wearing the electronic product on at least one among the electronic host device and or at least one of the peripheral devices on a user (since they

are laptop computer, cellular phone, PDA, camcorder, camera , or audio/video player) (paragraphs [0002] and [0013]).

Regarding claim 7, Hymel discloses the peripheral devices can be selected among the group of peripherals comprising an earpiece, a display, a microphone, a user interface, a keyboard, a phone, a pager, a personal digital assistant, a camera, an imaging module, a watch, a timekeeping device, a computer, a receiver, and a transmitter (paragraph [0013]).

Regarding claim 8, Hymel discloses any combination of the peripheral devices operates concurrently with the host and independently from each other with their own separate relationship to the electronic host device (see figures 2 and 3, paragraphs [0013]-[0016]).

Regarding claim 9, Hymel (figures 2 and 3) discloses an electronic host device (110) forming a portion of an electronic product, comprising: a power source; at least one port (320) for receiving at least two peripheral devices (212, 214, 216, 218, 220,...) that independently and selectively couple and decouple to the electronic host device and activate independently of the electronic host device and other peripheral devices when decoupled from the electronic host device, wherein the two peripheral devices operate with their own separate and independent relationships with the electronic host device once decoupled from the electronic device (paragraphs [0013]-[0016]).

Regarding claim 10, Hymel (figures 2 and 3) discloses a plurality of peripheral devices (120 including: 212, 214, 216, 216, 220, 222, ...) forming a portion of an electronic product, comprising: a power source; a port for coupling with at least one

electronic host device (110), wherein the peripheral device selectively couple and decouple to the at least one electronic host device and activates independently of the electronic host device when decoupled from the electronic host device and other peripheral devices that work in conjunction with the electronic host device, wherein the plurality of peripheral devices being capable of operating with their own separate and independent relationships with the electronic host device once decoupled from the electronic device (paragraphs [0013]-[0016]).

Regarding claim 14, Hymel discloses the peripheral devices can be selected among the group of peripherals comprising an earpiece, a display, a microphone, a user interface, a keyboard, a phone, a pager, a personal digital assistant, a camera, an imaging module, a watch, a computer, a timekeeping device, a receiver, and a transmitter (paragraph [0013]).

Regarding claim 15, Hymel discloses any combination of peripheral devices operates concurrently with the host and independently from each other with their own separate relationship to the electronic host device (paragraphs [0013]-[0016]).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 3, 5, 6, and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hymel in view of Palermo et al. (US 2002/0132585).

Regarding claims 3 and 11, Hymel discloses the electronic product and the plurality peripheral devices of claims 1 and 10 above, respectively. Hymel does not specifically disclose the peripheral devices activates automatically upon being decoupled from the electronic host device. However, Palermo et al. (figure 1) disclose a peripheral device (headset 110) activates automatically upon being decoupled from the electronic host device (base station 120 and cellular phone 130) (paragraphs [0148] and [0156]). Therefore, it would have been obvious to adapt the teaching of Palermo et al. for automatically activate the peripheral device to the electronic product and the plurality of peripheral devices of Hymel so that the plurality of peripheral devices can function when decoupled from the host device.

Regarding claims 5 and 12, Hymel discloses the electronic product and the plurality peripheral devices of claims 1 and 10 above, respectively. Hymel does not

specifically disclose wherein the peripheral devices automatically sense the need for their own power sources to become active when selectively decoupled from the electronic host device. However, Palermo et al. (figure 1) disclose a peripheral device (headset 110) automatically sense the need for their own power sources to become active when selectively decoupled from the electronic host device (base station 120 and cellular phone 130) (paragraphs [0148] and [0156]). Therefore, it would have been obvious to adapt the teaching of Palermo et al. for automatically sense the need for their own power sources to become active when selectively decoupled from the electronic host device to the electronic product and the plurality of peripheral devices of Hymel so that the plurality of peripheral devices can function when decoupled from the host device.

Regarding claims 6 and 13, Hymel discloses the electronic product and peripheral device of claims 1 and 10 above, respectively. Hymel does not disclose peripheral devices automatically sense the need for activating a new wireless link to the electronic host device using their own power source when selectively decoupled from the electronic host device. However, Palermo et al. (figure 1) disclose a peripheral device (headset 110) automatically senses the need for activating a new wireless link to the electronic host device using its own power source when selectively decoupled from the electronic host device (base station 120 and cellular phone 130) (paragraphs [0148] and [0156]). Therefore, it would have been obvious to adapt the teaching of Palermo et al. for automatically senses the need for activating a new wireless link to the electronic host device using its own power source when selectively decoupled from the electronic

host device to the electronic product, peripheral devices, and method of Hymel in order to simplify the activation of the peripheral devices as suggested by Palermo et al. (paragraph [0148]).

6. Claims 16, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hymel in view of Nickum (US 6,760,600)

Regarding claim 16, Hymel disclose a method of operating peripheral devices independently from an electronic host device, comprising the steps of activating the peripheral devices independently of one another and after decoupling, operating the peripheral devices with their own separate and independent relationships with the electronic host device (paragraphs [0013]-[0016]). Hymel does not disclose powering the electronic host device and the at least one peripheral device using a power source for the electronic host device when the at least one peripheral device is coupled to the electronic host device; detecting a selective decoupling of the at least one peripheral device from the electronic host device; powering the electronic host device using the power source for the electronic host device and independently powering the at least peripheral device with a power source for the at least one peripheral device in response to detecting the selective decoupling. However, Nickum (figures 1 and 2) discloses a method of operating peripheral devices (cellular phone 14 and pager 16) and an electronic host device (portable computer 12), comprising the steps of: powering the electronic host device and the peripheral devices using a power source for the electronic host device when the peripheral devices are coupled to the electronic host



device; detecting a selective decoupling of the at least one peripheral device from the electronic host device; powering the electronic host device using the power source for the electronic host device and independently powering the at least peripheral device with a power source for the peripheral devices in response to detecting the selective decoupling (column 3, line 19 – column 5, line 13). Therefore, it would have been obvious to adapt the teaching of Nickum to the method of Hymel in order to provide power to the peripheral devices when they are coupled to the electronic host device.

Regarding claim 17, Nickum discloses the step of wearing at least one among the peripheral devices and the electronic host device on a user (since they are portable computer, cellular phone, and pager) (column 3, lines 19-34).

As to claim 20, Hymel discloses the step of operating any combination of peripheral devices concurrently and independently with their own separate relationship to the electronic host device (paragraphs [0013]-[0016]).

7. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hymel in view of Nickum and further in view of Palermo et al.

Regarding claim 18, Nickum and hymel disclose the method of claim 16 above. Nickum and Hymel do not disclose the peripheral devices activates automatically upon being decoupled from the electronic host device However, Palermo et al. (figure 1) disclose a peripheral device (headset 110) activates automatically upon being decoupled from the electronic host device (base station 120 and cellular phone 130) (paragraphs [0148] and [0156]). Therefore, it would have been obvious to adapt the

teaching of Palermo et al. for automatically activate the peripheral device to the method of Nickum and Hymel so that the plurality of peripheral devices can function when decoupled from the host device.

Regarding claim 19, Nickum and hymel disclose the method of claim 16 above. Nickum and Hymel do not disclose the step of automatically sense the need for activating a new wireless link to the electronic host device using their own power source when selectively decoupled from the electronic host device. However, Palermo et al. (figure 1) disclose a peripheral device (headset 110) automatically senses the need for activating a new wireless link to the electronic host device using its own power source when selectively decoupled from the electronic host device (base station 120 and cellular phone 130) (paragraphs [0148] and [0156]). Therefore, it would have been obvious to adapt the teaching of Palermo et al. for automatically senses the need for activating a new wireless link to the electronic host device using its own power source when selectively decoupled from the electronic host device to method of Nickum and Hymel in order to simplify the activation of the peripheral devices as suggested by Palermo et al. (paragraph [0148]).

### ***Response to Arguments***

8. Applicant's arguments, see Pre-Brief, filed 04/16/2007, with respect to the rejection(s) of claim(s) 1, 9, 10, and 16 under 102 (e) rejection have been fully considered and are persuasive. Therefore, the previous final rejection has been

withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hymel, Palemeno et al. and Nickum.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

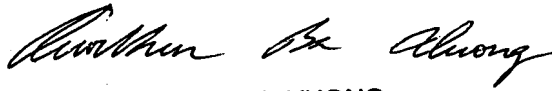
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quochien B. Vuong whose telephone number is (571) 272-7902. The examiner can normally be reached on M-F 9:30-18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:  
10/786,945  
Art Unit: 2618

Page 11

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**QUOCHIE B. VUONG**  
**PRIMARY EXAMINER**

Quochien B. Vuong  
Nov, 26, 2007.